

SENATOR KELLY AYOTTE
EFFORTS TO COMBAT NEW HAMPSHIRE'S PRESCRIPTION OPIOID, HEROIN, FENTANYL, AND
SYNTHETIC DRUG ABUSE EPIDEMICS

- ✓ **Comprehensive Approach:** Senator Ayotte helped [reintroduce](#) the bipartisan ***Comprehensive Addiction and Recovery Act of 2015 (S. 524)***, which would provide incentives and resources for states and communities to better develop and implement proven strategies to combat addiction. Additionally, the legislation expands prevention and educational efforts for teens, parents, caretakers, and aging populations to prevent substance misuse and promote treatment and recovery. Senator Ayotte has also [written](#) to the Attorney General to encourage the use of an “all hands on deck” approach to combat the heroin and prescription opioid abuse crises nationwide. In September 2015, a bipartisan group of Attorneys General from 38 states - including New Hampshire – [endorsed](#) CARA.
- ✓ **Heroin and Prescription Opioid Abuse Prevention, Education, and Enforcement Act:** Based on feedback from New Hampshire’s law enforcement, public health, medical, and treatment communities, Senator Ayotte [reintroduced](#) the ***Heroin and Prescription Opioid Abuse Prevention, Education, and Enforcement Act (S. 1134)*** to establish an interagency task force to develop best practices in the prescribing of pain medication and related pain management and produce a strategy for sharing this information with prescribers, pharmacists, and state medical boards. Additionally, the bill would authorize the Harold Rogers Prescription Drug Monitoring Program – a competitive grant program that helps states support their Prescription Drug Monitoring Programs– and reauthorize the Edward Byrne Memorial Justice Assistance Grant Program, which bolsters prevention and law enforcement programs at the state and local levels. It would also establish a national drug awareness campaign and a pilot program to allow first responders greater access to opioid overdose reversal drugs, such as naloxone. In July 2015, Senator Ayotte [urged](#) the Health and Human Services Secretary to continue soliciting feedback from key stakeholders when crafting new guidelines and best practices for prescribing opioids. Further, on November 13, 2015, Senator Ayotte co-led a [letter](#) to the Director of the Centers for Disease Control and Prevention (CDC) urging the CDC to take into account feedback from prescribers when developing guidelines for best practices.
- ✓ **Supporting First Responders:** [First responders](#) are often the first to approach a person who has overdosed on heroin or prescription opioids. Senator Ayotte supports providing liability protections to properly trained individuals who administer an opioid overdose reversal drug in an emergency situation when someone has overdosed, and is a [leading sponsor](#) of the ***Opioid Overdose Reduction Act (S. 707)***, which would provide such protections.
- ✓ **Combating Synthetic Drugs:** To help combat the rise of dangerous synthetic drugs such as “spice,” Senator Ayotte is [cosponsoring](#) the ***Protecting Our Youth from Dangerous Synthetic Drugs Act of 2015 (S. 36)***. These drugs are chemically engineered substances that mimic the effects of controlled substances like marijuana, ecstasy, and LSD while skirting federal drug laws. While some chemical elements of synthetic drugs have been banned, manufacturers can easily change the chemical makeup of the drugs. This legislation would establish a panel of experts in the fields of chemistry and pharmacology tasked with establishing and maintaining a list of controlled substance analogues in order to more easily identify and regulate dangerous synthetic drugs.

- ✓ **Encouraging Drug Take-Back Efforts:** Senator Ayotte believes the proper disposal of unused or unwanted prescription opioids is critical to curbing the illicit market for prescription pain pills. Senator Ayotte introduced legislation ([S.Res.466](#)) recognizing current take-back efforts and encouraging additional efforts, which unanimously [passed](#) the Senate in September 2014. Additionally, last Congress, Senator Ayotte was a cosponsor of the ***Servicemembers and Veterans Prescription Drug Safety Act (S. 1089)***, which would direct the Attorney General to establish drug take-back programs in coordination with the Department of Defense and Department of Veterans Affairs. In response to a request from Senator Ayotte and a bipartisan group of colleagues, the DEA reinstated its successful Prescription Drug Take-Back Days in September 2015.
- ✓ **Providing Tools for Communities and State and Local Law Enforcement:** Senator Ayotte is a strong supporter of federal programs that state and local law enforcement officers rely on to interdict illicit drugs and fight related crime, including the [Edward Byrne Memorial Justice Assistance Grant Program \(Byrne JAG\)](#), the [High Intensity Drug Trafficking Areas Program](#), ***Drug Free Communities, and Drug Courts***. Further, in response to reports that the New Hampshire State Police Forensic Laboratory is facing an overwhelming amount of drug samples to process and has a backlog of approximately 3,800 cases, Senator Ayotte urged the Department of Justice to help reduce the backlog, which is contributing to delays in prosecuting drug dealers. In her letter, Ayotte asked DOJ to help identify other DOJ programs and funding opportunities—in addition to the Byrne JAG program -- that would assist the state.
- ✓ **Improving Treatment:** Senator Ayotte is a cosponsor of the ***Second Chance Act Reauthorization Act (S. 1513)*** to help support reentry programs for substance abuse treatment. In August 2015, she cosigned a bipartisan [letter](#) to the Secretary of Health and Human Services asking her to use her authority to increase access to medication-assisted treatment for opioid use disorders. The letter asks the Secretary to consider lifting the cap on the number of patients that physicians can treat with buprenorphine and also requests that she consider expanding the ability of other trained health professionals, like nurse practitioners and physician's assistants, to prescribe buprenorphine. The Secretary later announced plans to address the cap in order to allow greater access to medication-assisted treatment. In November 2015, Senator Ayotte and Senator Tim Kaine (D-VA) led a bipartisan [letter](#) to Senate appropriators to request that any final appropriations package include necessary resources for critical substance abuse prevention and treatment services. The letter requests funding at the highest possible level for the Substance Abuse Prevention and Treatment (SAPT) Block Grant and the Center for Substance Abuse Treatment (CSAT) – programs located within the Substance Abuse and Mental Health Services Administration (SAMHSA).
- ✓ **International Interdiction:** In her continued efforts to [fight drug trafficking](#) and the heroin epidemic in New Hampshire and around the country, Senator Ayotte worked successfully to include an [amendment](#) in the fiscal year 2015 National Defense Authorization Act that calls on Southern Command to devote additional resources to the detection, monitoring, and interdiction of illicit trafficking through South and Central America to the United States. She also voted to support an additional \$20 million for resources for Southern Command to support this effort. Senator Ayotte also included an amendment aimed at ensuring that the National Guard Counterdrug Program (CDP) keeps pace with the evolving nature of the illicit

trafficking enterprise. The CDP provides the National Guard military capabilities and expertise to support the counterdrug activities of federal, state, and local authorities. Senator Ayotte has [questioned](#) government officials about drug trafficking routes and how to strengthen interdiction efforts, particularly at the southern border with Mexico. In addition, she successfully included an [amendment](#) to the Senate-passed fiscal year 2016 National Defense Authorization Act that would better enable the United States to counter drug tunnels under the southwest border. According to the Drug Enforcement Administration, heroin is most commonly brought into the U.S. through the southwest border, including by tunnels under the border.

- ✓ **Ensuring Proper Pain Management for Our Servicemembers:** While prescription opioids can play an integral role in proper pain management and treatment of health conditions, these drugs can also be addictive when used improperly or not taken as prescribed. In order to fight the mismanagement of opioid prescriptions and ensure the best possible care for our servicemembers, Senator Ayotte included an [amendment](#) in the fiscal year 2015 National Defense Authorization Act to ensure DoD places a greater focus on proper prescribing practices and medication management for opioid drugs.
- ✓ **Addressing the Rising Number of Opioid Dependent Newborns:** One tragic result of the growing opioid abuse epidemic that can be overlooked is the increasing number of infants born dependent on opioids or suffering withdrawal. Senator Ayotte is [cosponsoring](#) the *Protecting Our Infants Act of 2015 (S. 799)*, which would call for the development of recommendations to prevent and treat prenatal opioid abuse and neonatal abstinence syndrome (NAS). The bill would also call on the Centers for Disease Control and Prevention to assist states in data collection and increased surveillance to better monitor the prevalence and causes of NAS. S. 799 passed the full Senate by voice vote on October 22, 2015.
- ✓ **Supporting Treatment for Pregnant Women and Moms with Substance Use Disorders:** Senator Ayotte [introduced](#) the *Improving Treatment for Pregnant and Postpartum Women Act (S. 2226)*, which would reauthorize residential treatment programs for pregnant and postpartum women supported by the federal Center for Substance Abuse Treatment. The bill would also authorize a pilot program for state substance abuse agencies that allows funds to be used for family-based services for pregnant and postpartum women in non-residential settings.
- ✓ **Senate Budget Calls for Action:** Senator Ayotte successfully included in the [fiscal year 2016 budget resolution](#), passed by the Senate, an amendment she authored to address the heroin and prescription drug abuse epidemics in a comprehensive manner.
- ✓ **Engaging the Experts:** Senator Ayotte participates in a periodic series of [bipartisan addiction forums](#) bringing together healthcare professionals, individuals impacted by substance use disorders, and members of the treatment and recovery communities to discuss strategies to help New Hampshire's communities and the nation fight drug addiction and support individuals in recovery. In September 2015, in Manchester, Senator Ayotte [chaired](#) a field hearing of the Senate Homeland Security and Governmental Affairs Committee and invited Sen. Shaheen, the Director of the White House Office of National Drug Control Policy, and top officials from the DEA and Customs

and Border Protection to hear testimony from several witnesses about New Hampshire's drug abuse epidemic.

- ✓ **Helping States Fight Drug-Impaired Driving:** In July 2015, Senator Ayotte successfully included in the highway bill a provision she authored that would will require the Administrator of the National Highway Traffic Safety Administration (NHTSA) to identify actions to support state efforts to increase public awareness of the dangers of drug-impaired driving, including [driving while under the influence of heroin](#) or prescription opioids.
- ✓ **Enhancing Federal Prosecutorial Tools:** Senator Ayotte supports enhancing and increasing federal prosecutions of extraterritorial drug trafficking. Currently, in order to prosecute extraterritorial drug trafficking, prosecutors must be able to prove that the source has direct knowledge that the illegal drugs will be trafficked into the United States. Senator Ayotte is a cosponsor of the ***Transnational Drug Trafficking Act (S. 32)***, which would impose stricter penalties for extraterritorial drug trafficking activity when the source has reasonable cause to believe that illegal drugs such as heroin and fentanyl will be trafficked into the United States. By providing these additional tools to prosecutors, this legislation will help crack down on transnational drug trafficking into the United States and the other illicit activities that drug trafficking funds and enables, decrease supply, and increase the price of these drugs.
- ✓ **Reforming Fentanyl Trafficking Penalties:** Understanding the increasing role that fentanyl is playing in fatal overdoses, Senator Ayotte [introduced](#) the ***Stop Trafficking in Fentanyl Act (S. 2027)*** to reform trafficking penalties for fentanyl, ensuring that the law appropriately reflects the potency of this drug and its increasing prevalence in drug overdose deaths. The Drug Enforcement Administration estimates that fentanyl is up to 50 times more potent than heroin. Yet the threshold amount to invoke penalties in fentanyl trafficking is not appropriately reflected under current law. The Stop Trafficking in Fentanyl Act would simply bring parity to the penalties for trafficking in heroin and the much more potent fentanyl, which will improve efforts to remove it from the streets and appropriately prosecute those individuals and organizations who are profiting off of it.
- ✓ **Assisting Students Dealing with Substance Abuse at Home:** Working with Senator Joe Manchin (D-WV), Senator Ayotte included [two amendments](#) in the Every Child Achieves Act to better support students who are dealing with substance abuse in their homes. Both of her amendments would encourage local education decision makers to provide professional development, training, and technical assistance to schools in communities affected by the crisis of addiction. One of Senator Ayotte's amendments would specifically require states to detail how they will provide support to local schools in communities significantly impacted by substance abuse.
- ✓ **Calling for Greater Coordination between Federal, State, and Local Officials:** Senator Ayotte recognizes that combatting substance abuse will require cooperation at the federal, state, and local levels. In August 2015, she wrote to the Secretary of Health and Human Services to relay concerns she heard from some New Hampshire residential substance abuse treatment centers about impending regulations that could force these centers to reduce the number of available beds

for treatment. [The letter](#) asked HHS to work with the State of New Hampshire and local treatment providers so that these facilities can provide safe places for individuals to receive treatment. In August 2015, Senator Ayotte [also wrote](#) to the Acting Administrator of the Centers for Medicare and Medicaid Services inviting him to visit the Sununu Youth Services Center in Manchester and consider proposals from local legislators to repurpose the facility's unused space to provide treatment for individuals struggling with co-occurring substance use and mental health disorders. In October 2015, Senator Ayotte sent a [letter](#) to the Department of Justice (DOJ) urging the Department to provide funding for a full-time U.S. Attorney position to be co-located with the Drug Enforcement Administration (DEA) and other participating agencies in New Hampshire, a step that would enhance efforts to prosecute drug traffickers. In November 2015, during an International Narcotics Control Caucus hearing, Senator Ayotte [secured a commitment](#) from the DEA that it will effectively implement the "strike force" model in New Hampshire.

- ✓ **Addressing the Need for Insurance Coverage for Treatment Services:** In October 2015, Senator Ayotte and Senator Chris Murphy (D-CT) [led a bipartisan group of senators](#) in calling on the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Labor (DOL) to take immediate, overdue action to fully implement and enforce the Mental Health Parity and Addiction Equity Act (MHPAEA). In a letter addressed to HHS Secretary Sylvia Mathews Burwell and DOL Secretary Thomas E. Perez, the senators emphasized that implementation of MHPAEA – a law enacted more than seven years ago to ensure that health insurance plans cover behavioral and physical health equally – has been incomplete and inconsistent. Further, in response to concerns from New Hampshire residents, Senator Ayotte sent [a letter](#) urging the five major U.S. health insurers to ensure that enrollees who are in need of mental health and substance use disorder (MH/SUD) treatment are not denied coverage. Senator Ayotte also sent [a letter](#) to the head of the U.S. Government Accountability Office (GAO) requesting a study on the implementation and enforcement of the MHPAEA.
- ✓ **Ensuring that Pain Medications are Safe for Use:** In September 2015, Senator Kelly Ayotte [joined a bipartisan group of senators](#) in urging the leaders of the Senate Health, Education, Labor and Pensions Committee to investigate the decision by the Food and Drug Administration (FDA) to approve OxyContin for use by children as young as 11 years old. In a letter to Committee Chairman Lamar Alexander (R-TN) and Patty Murray (D-WA), the senators express concern that the decision could further exacerbate the staggering rise in prescription opioid abuse and overdose deaths.

SENATOR KELLY AYOTTE
STRENGTHENING OUR NATION'S MENTAL HEALTH SYSTEM

- ✓ **Additional resources for crisis detection, prevention, and treatment:** Senator Ayotte [introduced](#) the bipartisan ***Mental Health First Aid Act of 2015 (S. 711)***, which would provide support for training programs to help the public identify, understand, and address crisis situations in a safe and appropriate manner. The bill calls for teaching the warning signs and risk factors of common mental health disorders, teaching crisis de-escalation techniques, and providing trainees with an action plan to help individuals in mental health crisis connect to professional mental health care in the community. Senator Ayotte was able to include [an amendment](#) in the Every Child Achieves Act that would support mental health awareness training programs for school personnel. Senator Ayotte also worked across the aisle to successfully include \$15 million in the Substance Abuse and Mental Health Services Administration budget for Mental Health First Aid training in schools. In recognition of her efforts related to Mental Health First Aid, Senator Ayotte was honored as the Legislator of the Year by the National Council for Behavioral Health and received the 2014 Allies in Action Award from the American Foundation for Suicide Prevention.
- ✓ **Providing our judicial system with the tools to address individuals with mental illness:** Senator Ayotte is an original cosponsor of the ***Comprehensive Justice and Mental Health Act of 2015 (S. 993)***, which would provide training and resources for law enforcement to help better identify individuals with mental health issues and ensure they receive proper treatment. The legislation would also continue support for mental health courts. She co-led a bipartisan letter to the Senate Appropriations Committee asking for continued support of the Mentally Ill Offender Treatment and Crime Reduction Act.
- ✓ **Fighting to pass comprehensive mental health legislation:** Senator Ayotte is an original cosponsor of the ***Mental Health Awareness and Improvement Act (S. 1893)***, bipartisan legislation that includes a number of important mental health initiatives. The bill included a provision based on the Mental Health First Aid Act, which would provide mental health awareness training grants to help the public identify, understand, and safely address crisis situations. The legislation would also reauthorize the National Child Traumatic Stress Initiative to help children and adolescents exposed to traumatic events. Last Congress, Senator Ayotte led [a letter](#) to Senate leaders asking them to bring up and pass this important legislation, citing the broad bipartisan support for the bill. She is pleased that the bill has been reintroduced during this Congress and passed the Senate HELP Committee, and will continue to push for the entire Senate to pass this legislation.
- ✓ **Supporting efforts to prevent suicide:** Senator Ayotte is an original cosponsor of the ***Garrett Lee Smith Memorial Reauthorization Act (S. 1299)***, which would reauthorize the Suicide Prevention Resource Center. This Center is a research, training, and technical assistance resource center designed to prevent suicides. The legislation would expand the Garrett Lee Smith program's focus from youth suicide to also include efforts to combat suicide among people of all ages, with a particular focus on high risk groups. The bill would also reauthorize and revise a grant program to assist students with mental health or substance use disorders at colleges and universities.

- ✓ **Improving Prevention and Treatment of Eating Disorders:** Senator Ayotte worked with Senator Amy Klobuchar (D-MN) to [introduce](#) the ***Anna Westin Act (S. 1865)***. This bipartisan legislation would allow the Department of Health and Human Services to provide grants to health care professionals and school personnel with the goal of preventing, identifying, and helping to treat eating disorders. Additionally, S. 1865 would require the director of the National Institute of Mental Health to create a new public awareness campaign to raise awareness of warning signs and factors that can lead to eating disorders. The bill would also clarify that the Mental Health Parity and Addiction Equity Act of 2008 requires coverage of residential treatment for eating disorders.

- ✓ **Helping Fight Postpartum Depression:** Postpartum depression is treatable but unfortunately, women struggling with this condition are often stigmatized, discouraging them from seeking treatment. That is why Senator Ayotte helped [introduce](#) the ***Bringing Postpartum Depression Out of the Shadows Act of 2015 (S. 2311)***. This bipartisan bill would provide targeted, federal funding to bringer greater attention to postpartum depression as well as support screening and treatment for maternal depression. The legislation would also provide additional resources for the screening and treatment of pregnant women and new moms who need assistance, thereby improving the health of both the mother and her baby.